

REMARKS:

In the foregoing amendments, the title the invention was amended as suggested at the top of page 2 of the Official action. Accordingly, applicant respectfully requests that any objection to the title of the invention be withdrawn. In addition, claim 7 was amended to correct an editorial matter by removing extraneous limitations therein. Since these amendments correct editorial matters, applicant respectfully request that these amendments be entered under the provisions of 37 CFR §1.116(b) for the purposes of placing the application in condition for allowance or for the purposes of appeal.

Claims 7-9 are pending in the application for consideration. These claims define, *inter alia*, first and second electronic devices being arranged within the construction machine and including devices for monitoring the construction machine, controlling the construction machine, displaying information about the construction machine, or inputting information into the construction machine. The claims further define that the first and second electronic devices respectively use at least one of different first and second communication protocols. These claims still further include allocating a first frame format to the first communication protocol of the first electronic device and a second frame format to the second communication protocol of the second electronic device, *the first and second frame formats having a different header length*, and an electronic device or means therefor. Additionally, these claims include identifying the first and second communication protocols

communicating on the multiplex transmission serial communication line *by the different header lengths of the first and second frame formats*, and an electronic device or means therefor.

The Official action withdrew the previous rejections, but set forth a new prior art rejection of claims 7-9 under 35 U.S.C. §102(b) as being anticipated by newly cited U.S. patent No. 5,555,171 of Sonehara *et al.* (Sonehara). This rejection is set forth on pages 2-4 of the Official action. Among other things, the Official action stated that Sonehara teaches first and second electronic devices respectively using at least one of different first and second communication protocols. The Official action further stated that Sonehara teaches first and second frame formats having different header lengths (Figs. 6(a) and 6(b), protocol frame P and D have different lengths; also Figs. 7(a) to 7(d) also have different lengths). The Official action continued that the first and second communication protocols communicate on the multiplex transmission serial line and are identified by the different header lengths of the first and second frame formats. For all these positions, the Official action referred to column 4, line 60, to column 5, line 67, of Sonehara.

Applicant respectfully submits that the teachings of Sonehara do not disclose or suggest the inventions set forth in claims 7-9 within the meaning of 35 U.S.C. §102(b) or 35 U.S.C. §103.

The word "header" only appears twice in the entire Sonehara patent, namely, at column 4, line 62, and column 5, line 4. The expression "header length" does not appear in the Sonehara patent. Also, there is no suggestion of the concept of header length within the teachings of Sonehara. Accordingly, it is not possible for the teachings of Sonehara to disclose or suggest the use of "different header lengths" as required in the present claims.

The Official action noted Figs. 6(a), 6(b) and 7(a) to 7(d) of Sonehara. The signal frame P is a polling portion and the master controller sends it. The signal frame D is a data portion and the slave controller sends it. Sonehara proposes that the polled slave controller transmits its own data based on a predetermined format (See, column 4, lines 47-52). Then, a signal is distinguished from the first. There is no description for distinguishing protocols by a difference of header lengths, as required in the present claims. Further, viewing only the signal sent from the slave controller, it cannot be determined what protocol should be handled. In addition, there is no mention in Sonehara of headers having a different length and, more importantly, of the use of headers of different lengths for identifying first and second communication protocols, as required in the present claims. Furthermore, while data part 20 and data part 23 in Figs. 6(a) and 6(b) of Sonehara appear to have different sizes or lengths, this does not mean that the headers have different lengths. The header could simply be a portion of the data parts. Still

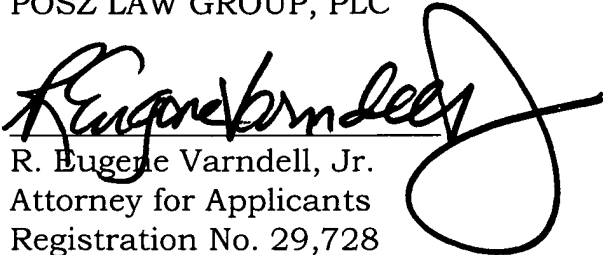
further, the various modes shown in Figs. 7(a) to 7(d) of Sonehara appear to show parts 20 and 21 of the same length.

For all these reasons, applicant respectfully submits that the teachings of Sonehara do not disclose or suggest the inventions defined in claims 7-9 within the meaning of 35 U.S.C. §102(b) or 35 U.S.C. §103. Therefore, applicant respectfully requests that the examiner reconsider and withdraw this rejection.

For the foregoing reasons, a formal allowance of claims 7-9 is respectfully requested. While it is believed that all the claims in this application are in condition for allowance, should the examiner have any comments or questions, it is respectfully requested that the undersigned be telephoned at the below listed number to resolve any outstanding issues.

In the event this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The fee therefor, as well as any other fees which become due, may be charged to our deposit account No. 50-1147.

Respectfully submitted,
POSZ LAW GROUP, PLC


R. Eugene Varndell, Jr.
Attorney for Applicants
Registration No. 29,728

Atty. Case No. VX002115
12040 South Lakes Drive
Suite 101
Reston, Virginia 20191
Tel: (703) 707-9110
Fax: (703) 707-9112

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